

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
) No 18 CR 734
vs.) Hon. Matthew F. Kennelly
)
TERRY FERGUSON)

AFFIDAVIT OF TIMOTHY FERGUSON

I, Timothy Ferguson, hereby swear and affirm that the following facts are true and accurate the best of my recollection.

Terry Ferguson is my father. He is one of the closest people to me in my life. For me and for my kids, he is always the one who is there planning events, setting up trips, supporting us in anything and everything we want to do. When things have been hard for me, my father is the one who I could always count on. To help me through tough times. To get me the things I need to succeed and thrive in my career, in my family life. He is the center of our family. He holds us all together. We would be lost without him.

And that is what makes all of this so hard. I should be in court testifying about all my father is and all he does for my family. I should be there explaining the events that happened to me when I was threatened by the agents. I should be there explaining how seeing what happened to me broke my father. How his anxiety went through the roof. How he ended up with heart problems and insanely high blood pressure. Ultimately having a heart attack from struggling with all of this. I should be there explaining all of the damage I saw done to my father, all the suffering he has gone through because of this. But, in the end, I cannot do it.

The day that they searched my father's house, agents came to my house too. They were aggressive. They demanded to come in the house even though they had no warrant. I said no. They would not take no for an answer.

Not consenting to a search was not an option. The agent's name was Chris. I originally believed it was Agent Labno.

After reviewing things from the case, I think it was wither Chris Stenzel or Chris Burney. I know the guy I saw was talking to another guy named Chris on the phone as this whole thing unfolded. And he was getting directions on the phone. But what he did to me was awful. First, he insisted on getting into my garage. I told him no repeatedly. He threatened to break into the garage. He threatened that I could get arrested and have my kids taken away if I did not let them in this garage. And he sounded serious. Like that was a real power they have. So I did. I let them in. I did not want the garage broken into. I was not having my kids taken. I let them in the garage.

There were guns in the garage. These were not my father's guns. He never owned them. Hey had nothing to do with him. Nothing at all. But this agent insisted he did. He insisted that I needed to say they were my father's guns. When I said no, he pushed the issue. These were not my father's firearms and a federal agent was asking me to say they were even after I told him the opposite. When I did not cooperate, I was threatened. There was no option not to talk to him. There was no option not to consent to things. It was nothing like they say it is supposed to be. I had no rights during this conversation.

He also insisted that we go to a bar that my family owned. Which I told him I did not want to do. I told him I was not letting them in the bar without a warrant. That led to the same list of threats. They said they would get a warrant and tear the place apart. They said I would get in trouble, go to jail. They again threatened the loss of my kids and, more specifically, that they would go to my work. That I could lose my job. And when they said that, that's when I said ok. I will let you in the bar. I did not want them going ot my job and I made that clear. I was terribly traumatized by that whole experience. My wife was worse. She insisted on leaving the house. We ended up moving. Our whole life changed after that event.

which I called the number my office gave me, it was

On top of that, I did 30 days in jail over talking to a guy named Pat Anderson. All we ever told him was that he should get a lawyer. And that turned into a felony intimidation charge. I did not understand how that could happen. I was arrested by Agent Labno. He tried to interview me. Tried to get me to say I knew things about my dad selling drugs, committing crimes. None of that was true. But this guy was promising that everything goes away for me if I would give them something on my father.

Something that I have no information about. They were asking me to basically make something up. And, when I would not, I ended up facing federal charges. That was a terrifying thing to learn—that they can do that. Punish you for not telling something that you did not even know.

Then, when it came out that the whole thing was based on a bunch of lies, it dropped to a misdemeanor I had to take just to make it all end. I was told no jail time.

Prosecutor said no jail time. And I ended up doing 30 days in jail. That whole experience made me afraid, afraid of federal prosecutors, and afraid of Agent Labno and the other agents he worked with. I cannot trust them.

After my dad filed his motions and the Court made findings about Agent Labno, I thought there was no reason to fear him anymore. My dad's lawyer said we did not need to be afraid of him anymore because no one would let him continue investigating after findings like the ones that came out in this case. Then on August 17 or 18, I got a call from my job. Labno went to my work. He did it. I told the first agent I spoke to that I could not have people going to my job. It would hurt my career. I could not have that.

That is how they got me to give the consents I did not want to the first time. Then he just showed up there.

They claimed they went to my house first, but they did not. I have a security camera. I was at home that day. No one came. They went directly to my work and said they were from ATF and CPD. My dad's lawyer was wrong.

Labno was still out there and allowed by federal prosecutors to come try to interview me. There was no reason to go direct to my job other than to let me know how much damage they could do to my life if I testified for my father. My wife was immediately terrified. I was too.

When I called the number my office gave me, it was

Labno on the phone. Just hearing him again was terrifying.

There was no limitation on him. Nothing my dad had filed mattered. Nothing the court said made a difference. He was still there to threaten my job. He was still there to threaten the well being of me and my family. He proved he could do that with the intimidation case.

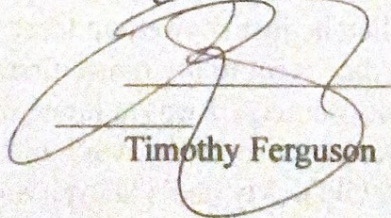
My wife was terrified. I could not believe it. And I knew right then. I cannot risk the retaliation that will come if I take the stand and explain in detail the experiences I had with that intimidation case Labno got Pat Anderson to make up. I cannot risk the next visit to my office that will happen if I explain on the stand everything that my dad suffered with the family because of what happened to me.

And it was a lot. It was really bad how he has suffered and how what happened to me impacted him and the family.

The one person who has always been there for me is the person that I cannot step up for in court. Because I know that I am not protected from Agent Labno. And I know what he can do. The government is not protecting me from that. They are sanctioning that behavior. And while it destroys me to write these words, I have to say that I cannot and will not testify for my father at sentencing. I want to with all of my heart. But I cannot. Because I will not subject my family to that kind of jeopardy. Labno being allowed to go out there and ask to interview me about what I was going to say about him and his partners—that was just wrong. There is nothing fair about that. Knowing that can happen made me know that I cannot testify at the sentencing hearing.

Affirmed,

Signed and

A handwritten signature in black ink, appearing to be "Timothy Ferguson", written over a horizontal line. The signature is stylized with loops and a long horizontal stroke extending to the left.

Timothy Ferguson